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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,531	07/26/2000	John G Posa	VID-01202/29	7887
25006	7590	08/21/2006	EXAMINER	
GIFFORD, KRASS, GROH, SPRINKLE & CITKOWSKI, P.C			ORGAD, EDAN	
PO BOX 7021			ART UNIT	PAPER NUMBER
TROY, MI 48007-7021			2618	

DATE MAILED: 08/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/625,531	POSA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Edan Orgad	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 April 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 8 and 11-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 8 and 11-20 is/are rejected.
- 7) Claim(s) 21 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claims 8 and 11-21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

Claims 11 and 12 are objected to because of the following informalities: They both depend on a cancelled claim. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US Patent # 6,640,239) in view of Maeng et al (US Patent # 6,731,334).

Regarding claim 8, Gidwani teaches a telecommunications apparatus (figure 13), comprising: a base unit (element 776), including an interface (element 142, IP router) to a telecommunications network (UIP client 786 is connected to internet 158); at least one wireless remote microphone (element 764, wireless microphone) in wireless communication with the base unit (col. 40, lines 41-47), enabling a user of the microphone to speak to a listener through the base unit and telecommunications network (col. 39, line 65-col. 40, line 6); and wherein the base

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unit forms part of a video teleconferencing system including a video camera (element 762 is a camera input, inherently for a camera, specifically since a camera is required for video conferencing, col. 39, line 65- col. 40, line 6) for capturing images of the user for transmission to the listener through the telecommunications network (col. 39, line 65-col. 40, line 6 & col. 40, lines 35-64).

Gidwani teaches an apparatus for use in a teleconferencing conversation utilizing a wireless microphone (col. 40, lines 35-52) but fails to specifically disclose a wireless locator signal transmitter at the base unit, the remote microphone re-transmits the wireless signal to the base unit, enabling the base unit to determine a positional aspect of the user of the microphone and a pan or tilt capability associated with the video camera which is controlled as a function of the positional aspect, enabling the video camera to visually track a moving user.

In related art of video teleconferencing, Maeng teaches a wireless locator signal transmitter at the base unit, the remote microphone re-transmits the wireless signal to the base unit, enabling the base unit to determine a positional aspect of the user of the microphone and a pan or tilt capability associated with the video camera which is controlled as a function of the positional aspect, enabling the video camera to visually track a moving user (see abstract and col. 1, lines 50-67 & col. 3, lines 24-54).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include Maeng's video conferencing system with Gidwani's already existing remote microphone video communication system in order to provide Gidwani with a camera that is capable of automatically steering itself to the user thereby allowing the user further mobility.

Regarding claims 11-12, Gidwani as modified by Maeng teach a pan or tilt mount associated with the video camera which is controlled as a function of the positional aspect, an auto-focusing capability for the video camera which is controlled as a function of the positional aspect and a zoom lens associated with the video camera which is controlled as a function of the positional aspect (see Maeng, col. 9, line 60- col. 10, line 3).

Regarding claim 13, Gidwani as modified by Maeng teach a plurality of wireless remote microphones, each re-transmitting the locator signal to the base unit and circuitry for distinguishing the signals received by each microphone so that the camera tracks a particular user when that user is speaking (see Maeng, col. 3, lines 24-67 & col. 4, lines 15-23)

Regarding claim 14, Gidwani as modified by Maeng teach a plurality of wireless locator signal transmitters and wherein each remote microphone re-transmits the locator signal to the base unit, enabling the base unit to determine a positional aspect of the user of the microphone (see Maeng, col. 3, lines 24-67 & col. 4, lines 15-23).

Regarding claim 15, Gidwani as modified by Maeng teach a pan, tilt, and zoom capability associated with the video camera which is controlled as function of the positional aspect of each user (see Maeng, col. 3, lines 35-41).

Regarding claim 16, Gidwani as modified by Maeng teaches a pan, tilt, and zoom capability associated with the video camera but fail to specifically disclose the pan, tilt, or zoom capabilities are effectuated by selecting a subset of pixels from a larger number of pixels in an image gathered by the camera. However, official notice is taken that it is notoriously well known in the art of video to select a subset of pixels from a larger number of pixels in an image gathered by the camera to effectuate the pan, tilt or zoom capabilities. Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to use a subset of pixels from a larger number of pixels in an image gathering by the camera in order to allow for a clearer picture.

Regarding claim 17, Gidwani as modified by Maeng teaches an auto-focusing capability for the video camera which is controlled as a function of the positional aspect of each user, enabling the camera to control depth-of-field associated with one or more users (see Maeng, col. 9, line 60- col. 10, line 3).

Regarding claim 18, Gidwani as modified by Maeng teaches the wireless signal transmitter located at the base unit transmits an inaudible acoustic signal (see Maeng, abstract).

Regarding claim 19, Gidwani as modified by Maeng fail to disclose circuitry for distinguishing the signals received by each microphone so that the camera follows a particular user includes a different carrier frequency associated with each microphone. However, official notice is taken that using different carrier frequency with each signal transmitted is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to use different carrier frequency with each of Maung's zones (col. 11, lines 7-17) in order to avoid any interference induced by cross talk.

Regarding claim 20, Gidwani as modified by Maeng teaches distinguishing the signals received by each microphone includes microphone identification circuitry located at the base unit (col. 11, lines 1-18).

***Allowable Subject Matter***

Claim 21 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 21, Gidwani as modified by Maeng disclose evaluating signal quality but neither Gidwani or Maeng or other cited prior art disclose activating an alarm if the signal quality indicates that the microphone is being carried away by the user.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 571-272-7884. The examiner can normally be reached on 9:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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